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Applicants McCallister, et al.

Group Art Unit: 2637

Serial No.: 10/718,507

Examiner: CORRIELUS, Jean B.

Filed: November 19, 2003

For: CONSTRAINED-ENVELOPE DIGITAL-COMMUNICATIONS TRANSMISSION SYSTEM AND METHOD THEREFOR

INVENTOR'S SUBMISSION UNDER 37 C.F.R. 1.56

I, Ronald D. McCallister, a named inventor in the above-identified reissue application, make the following disclosure pursuant to my obligation under 37 C.F.R. 1.56 to make known to the Patent Office any information believed material to the issue of patentability or that refutes or is inconsistent with a position the applicant takes in asserting an argument of patentability. I am not currently affiliated with the assignee of the application and have no interest in the application.

Initially, the Examiner's acknowledgement of my prior submission dated July 6, 2005 is appreciated. In light of a further position taken by the applicant, I believe it necessary to make this further submission pursuant to my disclosure obligation.

My disclosure concerns the May et al. prior art reference ("Reducing the Peak-to-Average Power Ratio in OFDM Radio Transmission Systems," published May 18, 1998 in the Proceedings of the 1998 Vehicular Technology Conference), which is of record in the application.

All of the pending claims of the application recite either a linearizer or linearizing limitations (Note: the dependency of claims 43 and 44 appears to be incorrect but are assumed to correctly depend from a claim reciting a linearizer or linearizing limitations). In an Office Action dated November 29, 2005, the Examiner stated that "applicant representative admitted that May et al. teaches every feature of the claimed invention but does not teach the inclusion of a linearizer or linearizing limitations in all the claims either directly or through dependency." The Examiner was referring to applicant's remarks in a Preliminary Amendment dated November 19, 2003. In an Amendment dated May 30, 2006, the applicant took issue with the Examiner's November 29, 2005 statement. The basis for applicant's disagreement with the Examiner's statement is not readily apparent.

However, irrespective of the applicant's current position, I believe the present characterization of May as not describing a linearizer or linearizing limitations may not be accurate.

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The May reference states:

"In most of the publications about amplitude limitation of OFDM signals it is assumed that it can be achieved by predistortion of the signal that the amplifier behaves like an ideal limiter. This means that the signal is amplified linearly up to a maximal input amplitude A_0 and larger amplitudes are limited to A_0 , see Fig. [1]. Based on this assumption, we also model the amplifier as an ideal limiter with amplitude threshold A_0 in this paper." (P. 1, col. 1) (emphasis added).

Thus, it is my belief that the statement "the signal is amplified linearly," in the context of the May disclosure, would clearly be appreciated by a person of ordinary skill in the art as describing the claimed linearizer or linearizing limitations. In addition, Figure 1 of May, duplicated below, shows linearization up to a maximal input amplitude.

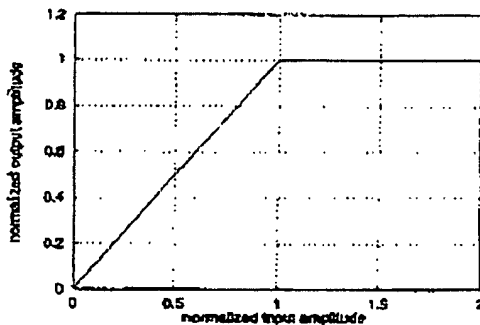


Fig. 1. Ideal limiter with normalized input and output amplitude, maximal input amplitude $A_0 = 1$

Respectfully submitted,

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Dated: August 16, 2006

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